

At A Regular Town Board Meeting
Of the Town Board of the Town of Newburgh held
At 1496 Route 300 in said township at 7:00 P.M.
On the 1st day of March, 2004

ROLL CALL: Wayne C. Booth, Supervisor
George A. Woolsey, Councilman
Derek N. Benedict, Councilman
James E. Manley, Councilman
Gilbert J. Piaquadio, Councilman

ALSO PRESENT: Mark C. Taylor, Attorney for the Town
James W. Osborne, Town Engineer
Andrew J. Zarutskie, Town Clerk
Charlene M. Black, Deputy Town Clerk

1. Pledge of Allegiance to the Flag led by Susan Browne, Lakeside Road.

2. Moment of Silence

3. Additional Items on Agenda Items
10. Status on Mr. & Mrs. Rounds Sewer Bill

4. Public Comments on Agenda Items
None at this time.

5. Police: Presentation of U.S. Marine Corps MALS 49 VGMR-452
Supervisor Booth introduced Chief Kehoe, who will be presenting the plaques tonight. Chief Kehoe explained that when you call 911, the police or fire department comes to your aid. But when our country needs help, and they call 911, the Marine Corps comes to your aid. The Marine Corps has done a great service to the Town of Newburgh. They have participated in both the Junior and Adult Police Academy, Toys for Tots and they have acquired equipment for our Police Department and training for our Tact Team. Chief Kehoe explained this presentation is long over due. We just want to show how much we appreciate them on a local level. Chief Kehoe would like Supervisor Booth to come forward to present the plaques. The first plaque is for their participation in the Police Academy and the second is from the Town Board and the residents of the Town of Newburgh. On behalf of Lieutenant Colonel Kenneth Clark, Commanding Officer Brady James and Lieutenant Colonel Thomas McKelvey, we would like to thank the Town of Newburgh for being very good hosts. We could not ask for a nicer community to help meet their needs. The base is open to you, so please stop in at any time to see what your tax dollars are doing. We also want to thank the Chief for all his support.

6. Home Rule Request: Hotel / Motel Tax
Supervisor Booth explained that Senator Larkin sent back for our approval the application for the Hotel / Motel Tax. This resolution needs to be approved again and resubmitted to the Senate and the Assembly. Supervisor Booth explained that this tax will not affect the taxpayers of the Town. This tax will be generated by the transients that utilize our hotels and motels in our Town. We have an assemblyman north of us that doesn't feel the same way as we do. He has a municipality that is in support of this tax, but the assemblyman isn't. Councilman Woolsey said this tax should generate approximately \$300,000.00 for our general fund.
MOTION was made by Councilman Woolsey to approve the Resolution Approving the Home Rule Request for An Act to Amend the Tax Law in Relation to the Imposition of a Hotel and Motel Tax in the Town of Newburgh, seconded by Councilman Piaquadio.
VOTE: Mr. Woolsey – aye; Mr. Benedict – aye; Mr. Manley –aye; Mr. Piaquadio – aye; Mr. Booth – aye. Motion passed 5-0.

7. Code Compliance: Request for Road Name Approval (Starlight Path)

This is a request from Gerald Canfield, Code Compliance Supervisor, to approve a requested road name from John E. Bach, Jr. Attorney for his client, Daniel Greak. The road name selected is Starlight Path, which was approved by the Wallkill Post Office and is in the Cronomer Valley Fire District. This road is located off Mountainview Ave.

MOTION was made by Councilman Benedict to approve the road name Starlight Path, seconded by Councilman Manley.

VOTE: Mr. Woolsey – aye; Mr. Benedict – aye; Mr. Manley – aye; Mr. Piaquadio – aye; Mr. Booth – aye. Motion passed 5-0.

8. Recreation: Award of Bid on Bus Trips

This is a request from Gary MacEntee, Recreation Director, to approve the attached list of trips to West Point Tours. Councilman Piaquadio wanted to know if historically are we at least breaking even with these trips? The past target was to break even. That is something we should look into when we sit down to do the budget. Councilman Woolsey said if that is being done, why can't we see it. Supervisor Booth said it is something we have not asked for in the past and we can start. Gary might have an evaluation already done; we could ask him for a copy. Councilman Woolsey suggested that instead of all of us getting a copy, just have him give it to the Accountant.

MOTION was made by Councilman Benedict to accept the bid submitted by West Point Tours for the eighteen bus trips to take place in 2004, seconded by Councilman Woolsey.

VOTE: Mr. Woolsey – aye; Mr. Benedict – aye; Mr. Manley – aye; Mr. Piaquadio – aye; Mr. Booth – aye. Motion passed 5-0.

9. Animal Control: Rabies Clinic

This is a correspondence from the Department of Health explaining how the County will be sponsoring a free rabies clinic and asked if we would be interested in co-sponsoring one as we have in the past. There will minimal cost to the Town, just paying for personnel who work on Saturday anyway. These clinics have been highly attended in the Town. At this time they are just asking if we are interested.

MOTION was made by Councilman Manley to authorize the Supervisor to let the County know we are interested in sponsoring a clinic, seconded by Councilman Piaquadio.

VOTE: Mr. Woolsey – aye; Mr. Benedict – aye; Mr. Manley – aye; Mr. Piaquadio – aye; Mr. Booth – aye. Motion passed 5-0.

10. Status on Mr. & Mrs. Rounds Sewer Bill

This came up at an Audit / Work Session. The Rounds have an auto feed on their pool and were not aware their pool had a leak in it. They have since repaired the pool and are willing to pay the full amount on the water part of their bill but feel they should get a break on the sewer part of their bill since it did not go into the sewer. The Board needs to find out if this was ever done before. It is not common practice and would set a precedent. We should invite Betty Greene, Receiver of Taxes, to our next Audit Workshop to discuss this issue.

11. Announcements and Presentations

Mr. Zarutskie, Town Clerk said he has three announcements:

- 1. Tuesday, March 2, 2004, is Democratic Primary Day. The polls will be opened from 6:00 a.m. until 9:00 p.m. Please vote.**
- 2. The Town Clerk's office will be open on Saturday, March 13, 2004, from 9:00 a.m. until 12:00 p.m.**
- 3. The Town Board approved a display for the front hall. It has arrived and has been installed. We are waiting for pictures of local residents (Town of Newburgh residents) who are in Iraq. The Town Board would like to add all troops that are overseas.**

MOTION was made by Councilman Woolsey to include all troops that are overseas that are from the Town of Newburgh, seconded by Councilman Manley.

VOTE: Mr. Woolsey – aye; Mr. Benedict – aye; Mr. Manley – aye; Mr. Piaquadio – aye; Mr. Booth – aye. Motion passed 5-0.

12. Public Comments

Linda Perran / 14 Knights Circle

She has a concern of all the garbage on the roads and not just in the Town of Newburgh but everywhere. These past two days she cleaned all along Buckingham Rd to Lakeside Road up to Patton Road. She collected 14 bags of garbage. She said she stopped in the Supervisor's office to ask if the Town would pick up all this trash and the Town did pick up 7 of the bags that were filled. There are at least half a dozen tires and pretty soon spring will be here and we have to worry about mosquitoes. Mrs. Perran came forward with pictures of the area she is talking about. The no littering sign should be updated, it says it is a \$50.00 fine. Supervisor Booth said the fine is \$250.00 and the sign should be changed. Councilman Manley suggested contacting the local prison to have them clean up. Mr. Glen Looney is here tonight and maybe he can help with the prison issue. Mr. Looney said he will bring the application to Town Hall and have Supervisor Booth to fill it out and send it to Albany for approval. Supervisor Booth explained that the Town does a clean up in the spring but it is an on-going problem. Councilman Woolsey said he tried to institute a program like the state has, like Adopt a Road. We did not get too far because of the liability. Several organizations have come to him since then and asked why there is no program in effect. Maybe this can be a start for us to pursue this clean up program. We should have our counsel look into what needs to be done in reference to liability for the Town. Councilman Piaquadio would like to let everyone know that if they are out there either cleaning the roads or just jogging make sure you wear a safety vest.

Helena Guinta / Colden Park

Check with N.F.A.'s government class to see if they have students that need community service time. Also the West Point Cadets need community service time check; with them.

Mrs. Tully / Patton Road

All the signs about littering are down on Patton Road. Both the paper and permanent signs.

Ron Hughes / Pampas Lane

He explained how he did research about how the Town offices conduct business. The Assessor's Office has between 175 – 200 calls a day from Real Estate people who don't pay taxes in the Town but these calls are taking away from the personnel in that office doing their work. This also goes on in the Tax Office. We should have some kind of fee for these calls. Mark Taylor, Attorney for the Town, said we have Freedom of Information which charges \$.25 per page but something outside that realm is potentially feasible. Supervisor Booth said at our next department head meeting we will bring this up and see how they feel about a fee. Councilman Piaquadio also suggested finding out how other towns handle this type of situation.

Pat Williams / Bridle Path

In October, it was brought up about the double billing the ambulance corps was doing. What is the outcome of that? Supervisor Booth said we have received their financial statements but the Town of Newburgh Ambulance Corps and Mobile Life have not come to an agreement within the guidelines of Medicare and Medicaid. The Town of Newburgh Ambulance will be called and then Mobile Life will also show up. Supervisor Booth said it depends on what the call was for. Sometimes our department will punch out the Town of Newburgh Ambulance and it becomes apparent it will be an ALS (Advanced Life Support) verses a BLS (Basic Life

Support) and the patient is already loaded into the BLS then an ALS paramedic will accompany the patient. That is where the double billing comes into place.

What is the status of the new ethics code? Supervisor Booth said there were some revisions to be made but we have not received the final yet. We need to call Tom Fogarty to see where they are with the revisions.

This question is to Mr. Piaquadio. You do business with the Town and now that you are an elected official, has this been corrected or how do you go about making policy? Councilman Piaquadio explained that this has been addressed in two ways. One is, in the Town Clerk's Office they will have an answer from the Ethics Board and the answer from the State Comptroller's Office which lists very clearly that an existing contract is exempt but he explained he can not take part on the voting of that contract. It was an existing contract, he has been here for many years. The contract amounts have gone down over the years.

Helena Guinta / Colden Park

She was at a meeting last week and Mr. DeMauro, Drury Heights, was there. He was talking about tapping into the existing sewer system in Colden Park. He mentioned that there was a plan to take Fleetwood / Holiday Park out of the Colden Park system and Drury Heights to tap into it. Supervisor Booth said there was conversation of them physically having them hook up as an outside user to Colden Park and they would have to pay \$3500.00 plus an additional \$500.00 per unit. Jim Osborne, Town Engineer, explained there are two projects Drury Heights and Exeter. Exeter is along 17K. The sewage flow from Holiday Park flows along 17K next to the Exeter property and then goes into Colden Park pump station then back to 17K. The proposal for that district is to pick up the Holiday Park sewage flow and divert it directly into the force main on 17K and not have it go through Colden Park. Drury Heights will connect to the gravity line in Colden Park pump station and flow to 17K. This is all subject to engineering evaluations.

Ellenjane Gonyea / 26 Linden Drive

At a neighborhood meeting we entertained some questions about the master plan. We would like to know the status of the Master Plan and also the status of the sub committees. She was at a meeting when it was said that when the sub committees were finished with their projects they would hold a public session informing the public about their recommendations. Supervisor Booth explained that this past Saturday the Zoning sub committee met for about 4 ½ hours. Jim Osborne, Town Engineer, believes that all the committees are done. The Zoning sub committee was the last to meet. The next step is for the Planning Consultant to take all the information and discussions from all the committees and present it to the Master Plan committee. At that point the Master Plan committee will be able to set up a presentation. There will be one presentation meeting which is public and two public information meetings. We hope to wrap this up within the next four months.

Adjournment

MOTION was made by Councilman Benedict to adjourn the Town Board Meeting of March 1, 2004 at 8:09 P.M., seconded by Councilman Piaquadio.

VOTE: Mr. Woolsey – aye; Mr. Benedict – aye; Mr. Manley – aye; Mr. Piaquadio – aye; Mr. Booth – aye. Motion passed 5-0.

Andrew J. Zarutskie, Town Clerk

by

Charlene M. Black, Deputy Town Clerk